

**BEFORE THE ARIZONA STATE VETERINARY MEDICAL
EXAMINING BOARD**

IN THE MATTER OF:) Case No.: 18-84
CAROL ROWAND, DVM)
Holder of License No. 6701) FINDINGS OF FACT,
For the practice of Veterinary) CONCLUSIONS OF LAW
Medicine in the State of Arizona,) AND ORDER
Respondent.)

On June 19, 2019, the Arizona State Veterinary Medical Examining Board ("Board") conducted a Formal Hearing regarding Carol Rowand, DVM ("Respondent"). The proceedings in this matter are governed by A.R.S. §§ 32-2234 (A) and 42-1092 et seq. Respondent was timely served with the Complaint and Notice of Hearing by certified and regular mail at her address of record with the Board. In the Complaint, Respondent was advised that she had the right to be represented by counsel or that she could proceed without counsel. Additionally, Respondent was advised that in the event she failed to appear, the hearing would commence in her absence.

The formal hearing was scheduled for 10:45 a.m. The Board delayed the start of the hearing by approximately 30 minutes. Respondent did not appear and the hearing commenced in her absence. The Board reviewed and considered all the evidence submitted including the testimony of Ms. Tracy Riendeau, Senior Medical Investigator and Ms. Victoria Whitmore, Executive Director of the Arizona State Veterinary Medical Examining Board. Having received and considered the evidence submitted and hearing testimony, the Board issues the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. The Complaint and Notice of Hearing are prepared, and these proceedings are instituted, pursuant A.R.S. §§ 32-2234 and 41-1092 et seq.

2. The Arizona State Veterinary Medical Board, ("Board") is the duly constituted authority for licensing and regulating the practice of veterinary medicine in the State of Arizona.

3. Carol Rowand holds License No. 6701 for the practice of veterinary medicine in the State of Arizona ("Respondent").

4. On September 2, 2017, "Missy," a 12-year-old female Maltese and "Laci," a 10-year-old female Maltese were presented to Respondent to be vaccinated. Complainant was concerned the dogs received a leptospirosis vaccine which they had already been vaccinated for in June at Mountain View Animal Clinic. The dogs were also vaccinated for rabies.

5. The medical records submitted by the Complainant show both dogs were vaccinated with distemper parvo, corona & leptospirosis combo, and rabies.

6. Complainant stated that shortly after the dogs were vaccinated, they would not eat or drink for 2 – 3 days. She contacted Respondent that day and was advised to give the dogs Benadryl. The dogs continued to worsen; therefore, they were taken to Mountain View Animal Clinic.

7. Per Respondent, Complainant contacted her after she vaccinated the dogs and described lethargy but no life-threatening symptoms. She recommended giving the dogs an antihistamine and to contact her if the symptoms persisted. She did not hear back from Complainant until receiving an email stating she was taking the dog to another veterinary premises.

8. On September 27, 2017, the dogs were presented to Mountain View Animal Clinic for exam. Dr. Hoffman stated that Complainant had reported the

1 dogs had a vaccine reaction from vaccines administered by Respondent;
2 however, at the time she examined the dogs, there were no signs of an issue
3 and she did not see them for the reaction.

4 9. The medical records submitted by Respondent state that they were
5 generated on March 12, 2018, after the complaint was filed. Neither
6 Complainant's medical records nor Respondent's show that either dog was
7 examined or results documented. Additionally, the medical records
8 Respondent submitted have a different pet owner name and address – not
9 Complainant's, in violation of statute and administrative rule. Also, the age of
10 the dogs is not recorded in the medical record as required by statute and rule.

CONCLUSIONS OF LAW

12 1. The conduct and circumstances as described above constitute
13 UNPROFESSIONAL CONDUCT pursuant to **A.R.S. § 32-2232 (21)** as it relates to
14 **A.A.C. R3-11-502 (L)(1)** failure document the name, address, and phone
15 number of the pet owner in the medical record.

16 2. The conduct and circumstances as described above constitute
17 UNPROFESSIONAL CONDUCT pursuant to **A.R.S. § 32-2232 (21)** as it relates to
18 **A.A.C. R3-11-502 (L) (2)** failure to document the weight and age of the dogs in
19 the medical record.

20 3. The conduct and circumstances as described above constitute
21 UNPROFESSIONAL CONDUCT pursuant to **A.R.S. § 32-2232 (21)** as it relates to
22 **A.A.C. R3-11-502 (L) (4)** failure to document the results of the exam in the dogs'
23 medical record.

ORDER

24 25 1. Based upon the foregoing Findings of Fact and Conclusions of Law, it is
ORDERED that Respondent's License No. **6701** is **REVOKE**D.

1
REHEARING/APPEAL RIGHTS

2 Respondent has the right to petition for a rehearing or review of this Order.

3 Pursuant to A.R.S. § 32-2234 (H) and § 41-1092.09 the petition must be filed with
4 the Board within thirty-five (35) days from the date of mailing if the Order was
5 served via certified mail. Pursuant to A.A.C. R3-11-904 (C), the petition must set
6 forth legally sufficient reasons for granting the rehearing or review. The filing of
7 a petition for rehearing or review is required to preserve any rights of appeal to
8 the Superior Court that the party may wish to pursue.

9 This Order shall be effective and in force upon the expiration of the above
10 time period for filing a motion for rehearing or review with the Board. However,
11 the timely filing of a motion for rehearing or review shall stay the enforcement
12 of the Board's Order, unless, pursuant to A.A.C. R3-11-904 (F), the Board has
13 expressly found good cause to believe that this Order shall be effectively
14 immediately upon the issuance and has so stated in this Order.

15
16 Dated this 2nd day of July, 2019.

17 Arizona State Veterinary Medical Examining Board
18 Jim Loughead
Chairman

19
20 By: Victoria Whitmore
21 Victoria Whitmore, Executive Director

22
23 Original of the foregoing filed this 2nd day of July, 2019
with the:

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25 Arizona State Veterinary
Medical Examining Board
1740 W. Adams St, Ste. 4600

1 Phoenix, Arizona 85007
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Copy of the foregoing sent by certified, return receipt mail
this 2nd day of July, 2019 to:

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5 Carol Rowand, DVM
6 Address on file
7 Respondent
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10 By: Victoria Whitmore
11 Board Staff
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